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## **EXHIBIT D**

Robert L. Powley (RP 7674) James M. Gibson (JG 9234) Law Office of Robert L. Powley, P.C. 417 Canal Street, 4<sup>th</sup> Floor New York, New York 10013 Telephone: (212) 226-5054 Attorneys for Defendant RICHARD WOLFE

## UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

GOOGLE INC.,

a Delaware corporation, CV-05-1779 (TCP) (ETB)

Plaintiff/Counter-Defendant

RICHARD WOLFE d/b/a FROOGLES.COM. an individual,

v.

Defendant/Counterclaimant

## **DEFENDANT/COUNTERCLAIMANT'S FIRST** AMENDED NOTICE OF DEPOSITION PURSUANT TO FED. R. CIV. P. 30(b)(1) OF JONATHAN ROSENBERG

PLEASE TAKE NOTICE that Defendant/Counterclaimant, Richard Wolfe ("Mr. Wolfe"), will take the deposition of Jonathan Rosenberg, pursuant to Fed. R. Civ. P. 30(b)(1), at the Law Offices of Robert L. Powley, P.C., 417 Canal Street, 4th Floor, New York, New York 10013, commencing at 9:30 a.m. on August 10, 2006 or at some other mutually agreeable time and date, and continuing from day to day (excluding Sundays and holidays) until completed before a Notary Public or other officer authorized by law to administer oaths and a stenographer.

You are invited to attend and cross-examine.

Dated: July 7, 2006 New York, New York By: Robert L. Powley (RP 7674)

James M. Gibson (JG 9234)
Law Office of Robert L. Powley, P.C.
417 Canal Street, 4<sup>th</sup> Floor
New York, New York 10013

Telephone: (212) 226-5054 Attorneys for Defendant

RICHARD WOLFE

## **CERTIFICATE OF SERVICE**

I hereby certify that on July 7, 2006 true and correct copies of the foregoing Defendant/Counterclaimant's First Amended Notice of Deposition Pursuant to Fed. R. Civ. P. 30(b)(1) of Jonathan Rosenberg were duly served on counsel for Plaintiff/Counter-Defendant by facsimile, electronic mail and U.S. first class pre-paid mail in envelopes addressed as follows:

Andrew P. Bridges (abrides@winston.com) WINSTON & STRAWN LLP 101 California Street San Francisco, California 94111 Telephone: (415) 591-1000 Facsimile: (415) 591-1400

Virginia R. Richard (vrichard@winston.com) WINSTON & STRAWN LLP 200 Park Avenue New York, New York 10166 Telephone: (212) 294-6700 Facsimile: (212) 294-4700

Attorneys for Plaintiff, GOOGLE INC.

James M. Gibson

Law Office of Robert L. Powley, P.C. 417 Canal Street, 4th Floor

New York, New York 10013 Telephone: (212) 226-5054 Attorneys for Defendant,

RICHARD WOLFE